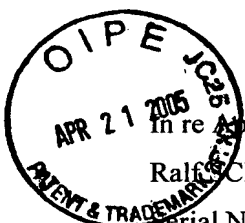


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ralph SCHWEINFURTH et al.

Serial No.: 09/743,758

Filed: January 16, 2001

For: COLORATION WITH PEARLY LUSTER PIGMENTS IN THE FOOD AND
PHARMACEUTICAL SECTORS

: ATTN: PATENT PUBLICATIONS

: Examiner: Nina Bhat

: Group Art Unit: 1761

: Allowed: May 10, 2004

REQUEST FOR WITHDRAWAL OF NOTICE OF FEE DUE AND RENEWED
REQUEST FOR COMPLETE NOTICE OF ALLOWANCE

MAIL STOP ISSUE FEE
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Sir:

In reply to the Notice of Allowance mailed May 10, 2004 in the above-identified application,

- (1) a Request for Complete Notice of Allowance was filed on June 25, 2004 requesting a complete examiner-initialed form 1449 be returned to applicants, and
- (2) an Issue Fee of \$1330.00 was paid on August 10, 2004 by
- (3) Check No. 32078.

(See copies of correspondingly numbered documents, attached.)

On August 10, 2004 a new Office Action withdrawing allowance was mailed, which Office Action crossed with applicants' issue fee payment. An Amendment and Reply to the Office Action was filed on November 10, 2004, and a new Notice of Allowance was mailed on November 30, 2004 which did not reflect the already-paid issue fee of \$1330.00 on August 10, 2004.

On February 28, 2005, applicants' filed the balance of the issue fee payment of \$70.00 (for a total of the current \$1400.00 issue fee) by Check No. 33897 and a copy of applicants' Request for Complete Notice of Allowance and Form 1449 filed June 25, 2004.

Applicant subsequently received

- (4) a Notice of Fee Due dated March 1, 2005 reflecting the payment of \$70.00, but indicating that a fee of \$1330.00 was outstanding, along with

- (5) a copy of the fee transmittal submitted February 28, 2005 clearly indicating that a \$1330.000 fee had been paid on 8/10/04 and
- (6) the copy of applicants' Request for Complete Notice of Allowance with Form 1449 still not completely initialed by the examiner.

(See copies of correspondingly numbered documents attached.)

Applicants respectfully request that the Notice of Fee Due be withdrawn in writing and that a fully examiner-initialed copy of Form PTO-1449 be returned to applicants.

Respectfully submitted,



Harry B. Shubin (Reg. No. 32,004)

Attorney for Applicants

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.

Arlington Courthouse Plaza I

2200 Clarendon Blvd., Suite 1400

Arlington, VA 22201

Direct Dial: (703) 812-5306

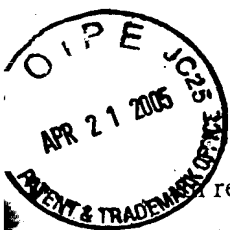
Fax: (703) 243-6410

Internet address: shubin@mwzb.com

HBS:æk

Filed: April 21, 2005

k:\merck\2192\req for wd of fee due etc.



(1)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of: : ATTN: PATENT PUBLICATIONS
Ralf SCHWEINFURTH et al. : Examiner: Nina Bhat
Serial No.: 09/743,758 : Group Art Unit: 1761
Filed: January 16, 2001 : Allowed: May 10, 2004
For: COLORATION WITH PEARLY LUSTER PIGMENTS IN THE FOOD AND
PHARMACEUTICAL SECTORS

REQUEST FOR COMPLETE NOTICE OF ALLOWANCE

MAIL STOP ISSUE FEE
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Sir:

Attached is a copy of Applicants' Form PTO-1449 filed with applicants' Information Disclosure Statement of 16 April 2001 and returned with the Office Action of April 21, 2003. It is noted, however, that Reference AU has not been initialed by the examiner indicating the reference cited therein was considered during the prosecution of the above-identified application. It is respectfully requested that an fully examiner-initialed copy of Form PTO-1449 be returned to applicants.

Respectfully submitted,

Harry B. Shubin (Reg. No. 32,004)
Attorney for Applicants
MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
Arlington Courthouse Plaza I
2200 Clarendon Blvd., Suite 1400
Arlington, VA 22201
Direct Dial: (703) 812-5306
Fax: (703) 243-6410
Internet address: shubin@mwzb.com

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Filed: June 25, 2004
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MERCK-2192

Form PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DKT. NO.
Merck 2192

SERIAL NO.
09/743,758

APPLICANT
SCHWEINFURTH, Ralf, et al.

FILING DATE
16 Jan. 2001

GROUP
1761

INFORMATION DISCLOSURE STATEMENT
BY APPLICANT

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date
N3	AA 3658552	4/25/1972	Carlson et al.	—	—	
	AB					
	AC					
	AD					
	AE					
	AF					
	AG					
	AH					
	AI					
	AJ					
	AK					
	AL					

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No
N3	AM 4215367	11/11/1993	DE	—	—		
	AN 9743346	11/20/1997	WO W.P.O.	—	—		
	AO 93 00878	1/21/1993	WO W.P.O.	—	—		
N3	AP 2257433	1/13/1993	GB	—	—		
	AQ						
	AR						
	AS						
	AT						

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AU	Derwent WPI & JP 07223816 (8/22/1995)
AV	
AW	
AX	
AY	
AZ	
Examiner N3 Shat	Date Considered 4/10/03